

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:15-CR-49-CDP
	)	
JASMINKA RAMIC,	)	
	)	
Defendant.	)	

WAIVER OF INDICTMENT/PLEA TO INFORMATION

BEFORE THE HONORABLE CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

SEPTEMBER 28, 2015

**APPEARANCES:**

For Plaintiff: Matthew Drake, AUSA  
Howard J. Marcus, AUSA  
Kenneth R. Tihen, AUSA  
**OFFICE OF U.S. ATTORNEY**  
111 South Tenth Street, 20th Floor  
St. Louis, MO 63102

For Defendant: J. Christian Goeke, Esq.  
**LAW OFFICES OF J. CHRISTIAN GOEKE, P.C.**  
7711 Bonhomme Avenue, Suite 850  
Clayton, MO 63105

REPORTED BY: Gayle D. Madden, CSR, RDR, CRR  
Official Court Reporter  
United States District Court  
111 South Tenth Street, Third Floor  
St. Louis, MO 63102 (314) 244-7987  
(Produced by computer-aided mechanical stenography.)

1 (Proceedings commenced at 1:41 p.m.)

2 (The following proceedings were held in open court and  
3 with the Defendant present.)

4 THE COURT: All right. We are here in the case of  
5 United States of America versus Jasminka Ramic, Case No.  
6 4:15-CR-49, and we do have an interpreter here who needs to be  
7 sworn because she's not a court employee. So I'll ask the  
8 clerk to swear the interpreter.

9 (Interpreter Belma Salesevic sworn to interpret Bosnian  
10 into English and English into Bosnian.)

11 THE COURT: All right. Thank you.

12 So Ms. Ramic is here along with her attorney,  
13 Mr. Goeke, and the United States is here through Mr. Drake,  
14 and, Ms. Ramic, the lawyers tell me you intend to plead guilty  
15 under an agreement, you know, plead guilty to a superseding  
16 information and that you have a plea agreement with the  
17 Government. Is that why you're here today?

18 THE DEFENDANT (in English): Yes, ma'am.

19 THE COURT: All right. Before I accept your guilty  
20 plea, I'm going to ask you some questions, and I'm going to  
21 have you placed under oath before I ask you those questions.  
22 Once you have sworn to tell the truth, your answers to my  
23 questions are subject to the penalties of perjury, meaning you  
24 could be prosecuted if you told me a lie. Do you understand?

25 THE DEFENDANT (in English): Yes.

1 THE COURT: All right. So I will note that the  
2 Defendant is answering us in English, but the translator is  
3 translating into Bosnian, and that's okay. It's just that the  
4 court reporter is only going to be taking down English, and so  
5 you guys need to give her time to be able to know what she's  
6 doing. Okay?

7 All right. Would you state your full name please?

8 THE DEFENDANT (in English): Jasminka Ramic.

9 THE COURT: How old are you, ma'am?

10 THE DEFENDANT (in English): 43, ma'am.

11 THE COURT: Can you pull that mike over to her,  
12 Mr. Goeke?

13 MR. GOEKE: Yes, Your Honor.

14 THE COURT: How far did you go in school?

15 THE DEFENDANT (in English): High school.

16 THE COURT: And you -- so did you go to high school  
17 in Bosnia?

18 THE DEFENDANT (in English): Yes, ma'am.

19 THE COURT: And so I take it you read and write in  
20 Bosnian?

21 THE DEFENDANT (in English): Yes, ma'am.

22 THE COURT: Okay. Now, you obviously understand and  
23 speak some English because you have been answering my  
24 questions here in English.

25 THE DEFENDANT (in English): Yes, ma'am.

1 THE COURT: How would you describe your ability to  
2 understand English to me?

3 THE DEFENDANT (in English): Pretty good.

4 THE COURT: Pretty good. Okay.

5 THE DEFENDANT (in English): Pretty good.

6 THE COURT: However, you have requested that we have  
7 the interpreter here because you want to be sure you  
8 understand. Is that correct?

9 THE DEFENDANT (in English): Yes, ma'am.

10 THE COURT: Okay. All right. So you're talking  
11 about pleading guilty to -- oh, let's see. Yeah. I never  
12 swore the Defendant. I never swore the Defendant. I  
13 apologize. Okay. We're going to now place you under oath. I  
14 said I was going to do it, and then I didn't do it. So I  
15 apologize.

16 (Defendant sworn.)

17 (All of Defendant's answers in the following examination  
18 were given in English.)

19 EXAMINATION

20 BY THE COURT:

21 Q All right. Now, are all the things you've just told me  
22 also true now that you've taken the oath?

23 A Yes.

24 Q Okay. The things you told me earlier. All right. Thank  
25 you. So both the charges that you were originally facing and

1 this superseding information that you're talking about  
2 pleading guilty to do charge you with felonies. I'm going to  
3 tell you some rights and talk about those charges, but first I  
4 want to make sure that you understand that you do have a right  
5 to be represented by an attorney at all stages of the case,  
6 and you are here, of course, with the attorney who was  
7 appointed to represent you, Mr. Goeke. Have you had enough  
8 time to discuss your case with him?

9 A Yes, ma'am.

10 Q Are you satisfied with his representation of you?

11 A Yes, ma'am, I am.

12 Q Is there anything you've wanted him to do in representing  
13 you that he's failed or refused to do?

14 A No, ma'am.

15 Q All right. Now, the original charge against you was in  
16 an indictment, and you were charged in that indictment with  
17 conspiracy to provide material support to terrorists and  
18 providing material support to terrorists. That indictment was  
19 returned by a grand jury. What you're talking about pleading  
20 guilty here to today, however, is a superseding information,  
21 and this charge, what you're talking about pleading guilty to,  
22 charges you with conspiracy to provide support to a conspiracy  
23 to support terrorism. Is that accurate, counsel?

24 MR. DRAKE: Yes, yes, Your Honor. Thank you.

25 Q (By The Court) So it's a conspiracy to provide support to

1 a conspiracy. Do you understand that?

2 A Yes, ma'am, I understand.

3 Q This is a felony, but it hasn't been brought before a  
4 grand jury. It's charged in an information, which is just a  
5 charge that is brought by the U.S. Attorney's Office. You  
6 have a right to have a case like this brought before the grand  
7 jury before the Government can proceed against you, and a  
8 grand jury has -- is citizens who -- who hear evidence  
9 presented by the prosecutor. It's at least 16 people but no  
10 more than 23 people, and what happens is after they hear the  
11 evidence presented by the prosecutor, then they would decide  
12 whether there was probable cause to bring these charges  
13 against you, and at least 12 of the grand jurors would have to  
14 vote for a finding of probable cause in order for you to be  
15 charged with this crime. That hasn't happened, and so if the  
16 Government were to present this to the grand jury, they might  
17 or might not indict you.

18 You could waive the right to an indictment on this  
19 charge, in which case you could agree to go forward on the  
20 information brought by the Government, and you could go  
21 forward and plead guilty to it if that's what you choose to  
22 do, but you do not have to do that. If you do that, you will  
23 be giving up your right to have these charges presented to the  
24 grand jury. So do you understand that you do have a right to  
25 waive the grand jury but you do not have to do that?

1 A No. I'm sorry.

2 Q Yeah. So let me try it again because it was a very long  
3 question.

4 A Yeah.

5 Q So do you understand basically what a grand jury is based  
6 on my description?

7 A Yes, yes.

8 Q Okay. So this charge hasn't gone before the grand jury.

9 A Okay.

10 Q And you can say, "I'm not going to plead guilty to a  
11 felony that hasn't gone before the grand jury. I don't want  
12 to go forward on that." Or you can say, "I agree. I  
13 understand my right to have it go before a grand jury, and I'm  
14 giving up that right. I'm waiving that right."

15 A I am -- I want to plead guilty.

16 Q And do you want to waive the right to go before the grand  
17 jury?

18 A (Nods head up and down.)

19 THE COURT: Okay. Do you all have the written  
20 document?

21 MR. GOEKE: We do, Your Honor.

22 THE COURT: I'll ask you to sign that waiver form.

23 (Defendant and attorney confer.)

24 MR. GOEKE: Can I have one moment, Your Honor?

25 THE COURT: Yeah.

1 (Defendant and attorney confer.)

2 THE DEFENDANT (in English): Okay. Thank you.

3 Q (By The Court) Okay. So you've had a chance to talk to  
4 your lawyer about the waiver of indictment?

5 A Yes, ma'am.

6 THE COURT: All right. I will accept the waiver of  
7 indictment. I find that the Defendant is competent to waive  
8 her rights to indictment, and this is being signed hereto  
9 before me in open court today. So we will proceed.

10 Q (By The Court) So what this -- so now we're going to  
11 proceed on the information, and what the information charges  
12 is that beginning on a date that's not known but no later than  
13 in May of 2013 and continuing through February of 2015, that  
14 you and others conspired to commit a crime against the United  
15 States, and that was to provide and attempt to provide  
16 material resources to a conspiracy to commit acts that would  
17 be offenses of murder if -- if committed in the United States.  
18 So it's a conspiracy to provide support to a conspiracy to  
19 support terrorism, and there are some specific acts listed in  
20 this information that you're charged -- that you are charged  
21 with. So do you understand the charge you are facing?

22 A Yes, ma'am, I do.

23 Q Okay. And even though you have waived your right to  
24 indictment, you still do not have to plead guilty, and so I  
25 want to talk about the rights you would have and the rights



1 you'll be giving up if you do decide to go ahead and plead  
2 guilty here today. First of all, do you understand that if  
3 you plead not guilty you would be entitled to a speedy and a  
4 public trial by a judge or a jury?

5 A Yes, ma'am.

6 Q At that trial, you would be presumed innocent and the  
7 Government would have to prove you guilty beyond a reasonable  
8 doubt. Do you understand that right?

9 A Yes, ma'am.

10 Q They would try to do that by bringing in witnesses who  
11 would testify in your presence. The -- your attorney could  
12 cross-examine the Government's witnesses and could object to  
13 the Government's evidence, and your attorney could offer  
14 evidence and could subpoena witnesses on your behalf. If you  
15 went to trial, you could testify, but you would not have to  
16 testify. If you decided not to testify, there couldn't be any  
17 suggestions made to the jury or any conclusions drawn by them  
18 that you were guilty because you didn't take the stand. So do  
19 you understand those are rights you would have if you pleaded  
20 not guilty and you went to trial?

21 A Yes, ma'am.

22 Q Do you understand that if you plead guilty here today you  
23 will be giving up your right to trial and the other rights  
24 that go along with a trial?

25 A Yes, ma'am.

1 Q In other words, there won't be any trial, you will have  
2 to admit to me that you are guilty of this crime, and then a  
3 judgment of guilty will be entered on your plea just the same  
4 as if you'd been convicted by a jury. Do you understand that?

5 A Yes, ma'am.

6 Q Has anybody threatened you or forced you to get you to  
7 plead guilty?

8 A No, ma'am.

9 Q Now, if you didn't plead guilty here today, you would  
10 have a right to go forward and have motions and argue motions  
11 and preliminary matters in front of the Magistrate Judge.  
12 You're giving up that right here today as well. Do you  
13 understand that?

14 A I do.

15 THE COURT: Okay. Counsel, could you all approach  
16 the bench along with the Defendant and the interpreter?

17 (Under seal bench conference excerpted.)

18 (The following proceedings were held in open court.)

19 THE COURT: Okay. So the lawyers have given me a  
20 document called Guilty Plea Agreement, and is there --  
21 Mr. Goeke, is there a copy of that in front of your client?

22 MR. GOEKE: Yes, Your Honor.

23 Q (By The Court) Okay. So, Ms. Ramic, this has your name  
24 on the front, and on the last page, which is page 14, there  
25 are three signatures. Mr. Drake, the prosecutor, signed at

1 the top, and Mr. Goeke, your lawyer, signed at the bottom, and  
2 there's a signature in the middle above where your name is  
3 typed. Is that your signature?

4 A Yes, ma'am.

5 Q Did you sign this document here today?

6 A Yes, ma'am.

7 Q Did you read it and discuss it with your lawyer before  
8 you signed it?

9 A Yes, ma'am, I did.

10 Q Is everything in this document true to the best of your  
11 knowledge and understanding?

12 A Yes, ma'am, it is.

13 Q Is there anything in here that you disagree with or you  
14 don't understand? Oh, yeah. Sorry.

15 A No, ma'am.

16 Q Okay. Have there been any promises to you or guarantees  
17 to you about what your sentence would be or about anything  
18 else that's not written down in here?

19 A No, ma'am.

20 Q Okay. So this says that in exchange for your guilty plea  
21 to this information, the one we just talked about, then the  
22 United States is agreeing not to -- it's agreeing to dismiss  
23 the Counts I and III of the original indictment at the time of  
24 sentencing, and it's also agreeing not to bring any other  
25 charges against you related to this conspiracy to provide

1 material support to Mr. Pazara and Mr. Hodzic and others as  
2 discussed a little further in the agreement. So no further  
3 charges and they'll dismiss the original indictment. And then  
4 it also says that you all have some agreements about the  
5 Sentencing Guidelines, and we'll talk about those in a minute,  
6 but you're agreeing that either side could ask for a sentence  
7 outside of what the Guidelines recommend. So these are the  
8 agreements you have with the United States. Do you understand  
9 that?

10 A Yes, ma'am.

11 Q On page 2 of the agreement, it lists the elements of the  
12 crime, and elements are the things the Government would have  
13 to prove in order for you to be guilty of this crime, and  
14 they're also the things you'll have to admit to me if I'm  
15 going to accept your guilty plea.

16 So the elements are that on or before February 5th of  
17 2015, two or more people reached an agreement within the  
18 United States to commit the crimes of providing material  
19 support to a designated foreign terrorist organization and  
20 providing material support, knowing or intending that it be  
21 used in preparation for or in carrying out a conspiracy to  
22 kill, maim, or injure persons in a foreign country, and that  
23 support being money and property, such as or including first  
24 aid supplies, military uniforms, boots, rifle scopes,  
25 equipment, and tactical gear. And then the next element is

1 that while you were in the United States you voluntarily and  
2 intentionally joined in the agreement either at the time it  
3 was first reached or at some later time while it was still in  
4 effect and that at the time you joined in the agreement you  
5 knew its illegal purpose, and while the agreement was in  
6 effect, one or more people in the conspiracy took out an overt  
7 act in the purpose of carrying out the conspiracy.

8 Now, the facts -- so those are the elements of the crime.  
9 The facts of the case are listed on pages 3, 4, 5, 6, and 7,  
10 and I'm going to ask you about some of those, but then I'm  
11 probably going to ask the U.S. Attorney to talk about some of  
12 them too, and then ask you if they are true, but let me just  
13 go through first this. First, it says you are a Bosnian  
14 native who immigrated to the United States and became a United  
15 States citizen. Is that true?

16 A Yes, ma'am.

17 Q When did you come to this country?

18 A October 31st, 2000.

19 Q And when did you become a citizen?

20 A I don't know exact date, but May 2006.

21 Q Okay. And then in -- you lived most of the time in  
22 Rockford, Illinois. Is that correct?

23 A In the beginning -- in the -- in the -- I lived a couple  
24 of weeks in New Jersey.

25 Q Okay.

1 A And we moved to Rockford, Illinois, because of my family.

2 Q Okay. And then at some point not long before you were  
3 arrested in this case, you had moved to Germany. Is that  
4 true?

5 A Yes, ma'am, it is.

6 Q And your husband and children still live in Germany?

7 A Yes, ma'am.

8 Q Okay. And it says that while you were in -- still living  
9 in Bosnia you did know Mr. Abdullah Ramo Pazara. Pazara?

10 MR. DRAKE: Yes, ma'am.

11 Q (By The Court) Is that true you knew him in Bosnia?

12 A Yes, ma'am.

13 Q And then it says that while you were in the United States  
14 you learned he was also living in the United States, that he  
15 was living in St. Louis, Missouri, and that sometime in July  
16 of 2013 you learned through social media that he had left the  
17 United States and had traveled to Syria where he was engaged  
18 in the conflict in that country. Is that true you learned  
19 that?

20 A Yes, ma'am.

21 Q Okay. And then it says that at some point you did  
22 email -- and it says on August 5th, actually, of 2013, you  
23 emailed Mr. Pazara and told him that you had read comments  
24 about him and offered to provide him support. Is that true?

25 A Yes, ma'am.

1 Q Okay. Then I'm not going to go through all of these,  
2 every fact that's in here, because it's fairly detailed, but  
3 let me -- let me see if I can summarize it. Did you know that  
4 he was over there fighting in Syria?

5 A Yes, ma'am.

6 THE COURT: And I'll ask you, Mr. Drake, to pick up  
7 from here because I'm not quite sure how much factual detail I  
8 need about the terrorist-related groups, but I think some is  
9 required.

10 MR. DRAKE: Yes, Your Honor.

11 THE COURT: So if you'll state this. So what I'm  
12 going to ask now is I'm going to ask Mr. Drake to state what  
13 he believes the Government would prove, the evidence they  
14 have, and then I'm going to ask you if it's true that you did  
15 the things that he says you did.

16 MR. DRAKE: Thank you, Your Honor. And as the Court  
17 indicated, it's a fairly detailed factual synopsis, and I'll  
18 try and summarize that for the purposes of the elements.

19 Ms. Ramic knew that Mr. Pazara was over in Syria and  
20 engaged in the fighting. She knew that he had -- based on  
21 email communications -- that he was affiliated with a  
22 designated foreign terrorist organization, al-Nusra. He had  
23 indicated that he was part of the Islamic State as well.

24 THE COURT: All right. Hold on.

25 Q (By The Court) So, Ms. Ramic, did you know that

1 Mr. Pazara said he was fighting for, among others, al-Nusra?

2 A Yes, ma'am.

3 THE COURT: Okay. Go ahead, Mr. Drake.

4 MR. DRAKE: Thank you, Your Honor.

5 In order to provide support to Mr. Pazara and other  
6 individuals who he was fighting with as well as to help people  
7 who were caught up in the humanitarian crisis and the  
8 conflict, to include other women and children, Ms. Ramic  
9 agreed to provide support to Mr. Pazara and others who were  
10 over there, to help them in their endeavors in fighting in the  
11 conflict.

12 Based on their discussions, Mr. Pazara ultimately  
13 directed Ms. Ramic to get in touch with Mr. Hodzic here in the  
14 United States. When Ms. Ramic did that, Mr. Hodzic had  
15 already been providing support as described in the Plea  
16 Agreement -- boots, rifle equipment, scopes, things like  
17 that -- to Mr. Pazara. Ms. Ramic agreed to provide Mr. Hodzic  
18 money as well as supplies, which included first aid supplies,  
19 so that Mr. Hodzic could then -- and when I say Hodzic, it's  
20 Mr. Siki Ramiz Hodzic and Ms. Sedina Hodzic, who are husband  
21 and wife. She agreed to provide them money and those supplies  
22 so that they could then give that to Mr. Pazara in Syria while  
23 he was engaged in the conflict.

24 Q (By The Court) Okay. And so -- so is -- Ms. Ramic, is  
25 that true -- what he's just said?



1 A Yes, ma'am.

2 Q And so you agreed to help provide money and supplies to  
3 help Mr. Pazara?

4 A Yes, ma'am, I did.

5 Q And as part of that, did you send money on at least --  
6 well, I guess maybe three different occasions you sent money?

7 A Yes, ma'am.

8 Q And sometimes you also provided supplies. Is that  
9 correct?

10 A Yes, ma'am.

11 MR. GOEKE: Your Honor, if I may interject?

12 THE COURT: Yeah.

13 MR. GOEKE: Just factually, the supplies that  
14 Ms. Ramic provided consisted of some first aid material and  
15 some hot chocolate.

16 THE COURT: Hot chocolate. Yeah.

17 MR. GOEKE: So the scope, the military equipment,  
18 none of that was provided by Ms. Ramic.

19 THE COURT: Right.

20 Q (By The Court) Is that correct?

21 A Yes, ma'am.

22 Q But you knew when you gave them the money that they would  
23 use that for whatever they needed and that included military  
24 equipment. Correct?

25 A I saw the picture, yes, yes. When I saw the picture --

1 but -- but then -- that Mr. Hodzic send me on Facebook, I  
2 realize that, what he's doing.

3 Q And so you did -- and he sent you a picture that showed  
4 the things in one of the packages he was sending?

5 A Yes, ma'am.

6 Q And it had your -- was your hot chocolate and first aid  
7 stuff in that same box?

8 A Yes, ma'am.

9 Q And then there was also this military equipment?

10 A Yes, ma'am.

11 Q And then even after that, you sent him more money to send  
12 to Mr. Pazara. Correct?

13 A Yes, ma'am.

14 THE COURT: Okay. All right. Mr. Drake, anything  
15 further you wish to --

16 MR. DRAKE: No, Your Honor. The only thing that I  
17 would add is -- is that during their discussions, Mr. Pazara  
18 had informed not only Mr. Hodzic, who then told Ms. Ramic, but  
19 also directly Ms. Ramic that the activities that he was  
20 engaged in overseas included people being injured and killed.  
21 He specifically made references to some of his fellow fighters  
22 that had died during the conflict as well as other people.  
23 And just so we're very clear, Ms. Ramic knew that that was  
24 going on. She was not saying to Mr. Hodzic, "Here's money  
25 that" -- for Mr. Pazara to kill someone, but she was aware

1 that that's what Mr. Pazara was engaged in.

2 Q (By The Court) Is that all true?

3 A Yes, ma'am.

4 THE COURT: Okay. And you feel that that's  
5 sufficient for the factual basis for the plea?

6 MR. DRAKE: Yes, Your Honor. Thank you.

7 THE COURT: Okay. And I do too. I believe that is  
8 sufficient. So I will accept that factual basis for the plea,  
9 and I believe it is sufficient.

10 Q (By The Court) Now I want to talk to you about the  
11 penalties in the case. So what you're pleading guilty to has  
12 a maximum penalty of a maximum of five years in jail, a fine  
13 of not more than \$250,000, and I could impose both prison and  
14 a fine, and there's a period of supervised release of up to  
15 three years.

16 Now, the sentence will also be affected by the  
17 Sentencing Guidelines, and the Guidelines are a set of rules  
18 that apply points to different things, and when we apply the  
19 Guidelines to your case, we end up with a result called the  
20 Sentencing Guidelines range, and that's the range of jail time  
21 that the Guidelines are recommending for you. The Guidelines  
22 also have departures, and those are reasons I could give a  
23 higher or a lower sentence than called for in the Guidelines,  
24 and the Guidelines are an advisory system, meaning that a  
25 judge does not always have to follow the recommendations of

1 the Guidelines. What I do have to do, though, in every case  
2 is figure out what the Guidelines recommend, determine whether  
3 you're eligible for any departures for any of the reasons that  
4 are listed in the Guidelines, and then I can consider other  
5 things about you and your background and the crime in the case  
6 to help me come up with the correct sentence.

7 To help me do all of that, we will have a Presentence  
8 Report prepared by the Probation Office, and that report will  
9 have a lot of information about you and the crime and the  
10 purpose -- and -- and any prior convictions you might have.  
11 It will also calculate what the Probation Office believes the  
12 Sentencing Guidelines should be. You and your lawyer and the  
13 Government lawyer will get copies of the Presentence Report  
14 before sentencing. Both sides have a right to object if  
15 there's anything in the Presentence Report that's not correct.

16 I won't sentence you until I've considered any  
17 objections filed by either party and then rule on those  
18 objections, read the Presentence Report, and then hear  
19 anything you wish to say at the time of sentencing.

20 So do you understand generally how the sentencing  
21 process works?

22 A Yes, ma'am.

23 Q Okay. I don't know enough about you at this point to  
24 know what your sentence will be or whether these Guidelines  
25 are correct. Do you understand that?

1 A Yes, ma'am.

2 Q So even though you've made some agreements with the  
3 Government about the Guidelines, I'm not promising to follow  
4 them, and if, for some reason, I didn't follow them and you  
5 ended up with a higher sentence than you were hoping for, you  
6 wouldn't be able to use that as a reason to withdraw your  
7 guilty plea. Do you understand that?

8 A Yes, ma'am.

9 Q Okay. Now, now, what the -- the agreement you've got is  
10 that the base offense level is 33 and that the Government  
11 agrees you have accepted responsibility for your criminal  
12 conduct and you should get three levels off for accepting  
13 responsibility, and then additionally, the Government's  
14 agreeing that you're a minimal participant, and so four levels  
15 should be deducted from the offense level, but then it says  
16 because the offense is a felony that involved or was intended  
17 to involve -- intended to promote terrorism, the offense level  
18 is then increased by 12 levels. So you all are estimating  
19 that the total offense level is 38. So those are the  
20 agreements you have with the Government. Do you understand  
21 that?

22 A Yes, ma'am.

23 Q Okay. Now, your criminal history will also be part of  
24 the calculation, but we leave that for the Presentence Report.  
25 Then on page 9, there is a waiver of appeal and

1 postconviction rights, and this is an important part of your  
2 Plea Agreement. First of all, we never -- if someone pleads  
3 guilty, they give up their right to appeal whether they're  
4 guilty or not, and I mentioned earlier giving up your right to  
5 waive motions. You're basically giving up your right to  
6 challenge anything that's happened up until this point.

7 A Yes, ma'am.

8 Q Do you understand that?

9 A Yes, ma'am.

10 Q Now, if you didn't have this part of your agreement,  
11 either you or the Government could appeal the sentence in the  
12 case, but in this case, as part of your agreement with the  
13 Government, both sides are agreeing that if I follow these  
14 recommendations about the Sentencing Guidelines and, in your  
15 case, if I sentence you either within or below those  
16 Guidelines, then you're giving up your right to appeal the  
17 sentence as well. Do you understand that?

18 A Yes, ma'am.

19 Q And you're also giving up your right to file a habeas  
20 corpus or a postconviction motion, and that's a motion where  
21 you would come back later and claim your rights had been  
22 violated here, and you're giving up the right to file that  
23 kind of a motion unless you later find out something that you  
24 think is prosecutorial misconduct, meaning something Mr. Drake  
25 or the Government did wrong, or ineffective assistance of

1 counsel, meaning something Mr. Goeke did wrong. So except for  
2 that, you're giving up your right to file a habeas corpus. Do  
3 you understand that?

4 A Yes, ma'am.

5 Q Okay. This goes on to say you'll provide information to  
6 the Government and the Probation Office and they can share  
7 that with the U.S. Attorney's Office. It also says that you  
8 understand nothing in this document limits the rights of the  
9 United States to take civil, tax, immigration, or deportation  
10 or administrative action against you if they thought they had  
11 the right to do so.

12 Whenever you are convicted of a felony such as this, you  
13 do lose certain civil rights. You lose the right to possess a  
14 firearm for any purpose. You may lose the right to vote or  
15 run for office or serve on a jury, and if you're not a  
16 citizen, you could be deported. So do you understand the  
17 consequences of pleading guilty?

18 A Yes, ma'am, I do understand.

19 Q Okay. There's also a \$100 mandatory special assessment  
20 that I have to impose as part of the penalty in the case, and  
21 if there was any property seized during the crime, then -- or  
22 during the investigation by the police, you're agreeing that  
23 could be forfeited to the Government. I could also impose  
24 other monetary penalties or fines and restitution.

25 The agreement here on page 12 goes back through your

1 rights and describes those again.

2 On page 13, it says that you're entering the plea  
3 voluntarily and also that you understand if you were to do  
4 anything in between now and sentencing that was inconsistent  
5 with this agreement or inconsistent with accepting  
6 responsibility, for example, if you committed a new crime or  
7 you tried to obstruct justice or tried to escape from jail or  
8 anything like that, then the Government wouldn't have to  
9 follow this agreement and they could argue for a higher  
10 sentence, although because of what you pleaded guilty to they  
11 could never argue for a sentence any higher than the five  
12 years because that's the maximum, but they could argue for  
13 higher than they've agreed to here or higher than what you  
14 were hoping for. So do you understand -- and of course, if  
15 you did those things, you could also be charged with new  
16 crimes as well. So do you understand that?

17 A Yes, ma'am, I do understand.

18 Q Okay. And then finally, if you go ahead and plead guilty  
19 here today, you will not be able to change your mind. Do you  
20 understand that?

21 A Yes, ma'am.

22 THE COURT: Does either counsel have anything further  
23 I should inquire into?

24 MR. DRAKE: No, Your Honor. Thank you.

25 MR. GOEKE: No, Your Honor. Thank you.



1 Q (By The Court) Okay. So, Ms. Ramic, you've told me  
2 enough for me to accept your guilty plea, but I haven't done  
3 that yet because I want to make sure that now that we've gone  
4 through the document and discussed your rights you still wish  
5 to plead guilty instead of going to trial. Is that what you  
6 want to do?

7 A Yes, ma'am, it is.

8 Q Then let me ask you how you plead to the charge in the  
9 information -- guilty or not guilty?

10 A Guilty.

11 THE COURT: Okay. I will accept your guilty plea,  
12 and I will -- I find that you are -- understand your rights,  
13 you know what you're doing, you're entering the plea knowingly  
14 and voluntarily, you're competent to do so, and the plea has a  
15 factual basis that contains all the elements of the crime. So  
16 I will accept the plea, and I will set the case for sentencing  
17 on Tuesday, January 5th, at 2:00 p.m. Any objections to the  
18 Presentence Report are due on or before December 15th of 2015.  
19 So the sentencing will be January 5th at 2:00 p.m. Any --

20 MR. GOEKE: December 15th for the objections, Your  
21 Honor?

22 THE COURT: Yeah, December 15th.  
23 Anything further at this time?

24 MR. GOEKE: Not for the Defendant, Your Honor.

25 THE COURT: Okay. I will see you then, Ms. Ramic, in

1 January at sentencing, and the Defendant is remanded to the  
2 custody of the Marshals pending sentencing.

3 MR. GOEKE: Thank you, Your Honor.

4 THE COURT: And we'll be in temporary recess, and I  
5 want to thank the interpreter for your services today, and  
6 Melanie and Laura will tell you whatever you need to know.

7 (Proceedings concluded at 2:16 p.m.)

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CERTIFICATE

I, Gayle D. Madden, Registered Diplomate Reporter and Certified Realtime Reporter, hereby certify that I am a duly appointed Official Court Reporter of the United States District Court for the Eastern District of Missouri.

I further certify that the foregoing is a true and accurate transcript of the proceedings held in the above-entitled case and that said transcript is a true and correct transcription of my stenographic notes.

I further certify that this transcript contains pages 1 through 26 inclusive.

Dated at St. Louis, Missouri, this 21st day of August, 2016.

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/s/ Gayle D. Madden

GAYLE D. MADDEN, CSR, RDR, CRR

Official Court Reporter